THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.15443 OF 2005

ORDER:

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Heard the learned counsel for the petitioner as well as Sri R.V.Nagabhushana Rao, learned Standing Counsel for the PDCC Bank, Ongole and with their consent, the Writ Petition is disposed of at the stage of admission.

In this Writ Petition, the notice issued by the first respondent in E.P.No.277/03-04 dated 11.06.2005 and the consequential notice issued by the second respondent to auction the lands belonging to the petitioner situated at Dhenuvakonda Village, Addanki Mandal, Prakasam District on 18.07.2005 are impugned.

Learned Standing Counsel places before me a letter addressed by the Senior Inspector and Sale Officer, PDCC Bank Limited, Ongole, wherein it is stated that the sale of the lands in E.P.No.277/03-04 scheduled to be conducted on 18.07.2005 at 1.00 p.m. was adjourned to 25.07.2005 at 11.00 a.m. on part payment received from the Judgment-Debtor (petitioner herein) and that on 23.07.2005 the Judgment debtor has completely repaid the balance amount and that there was no need for execution of the E.P. any more.

In view of the said letter, which is taken on record and inasmuch as the second respondent accepts complete payment by the petitioner and states that there is no need for execution of the E.P. any more, the cause in the Writ Petition does not survive adjudication.

The Writ Petition is accordingly dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, J)

Dt: 26.07.2005

bsv/lvl